



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

OFFICE OF
REGIONAL ADMINISTRATOR

09 MAR 2009

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7006 2760 0000 8651 1690

Ms. Becky Wehrman
Environmental Compliance Consultant
Metro Waste Authority
12181 12th Avenue NE
Mitchellville, Iowa 50169-9802

Re: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for
Metro Waste Authority, Mitchellville, Iowa

Dear Ms. Wehrman:

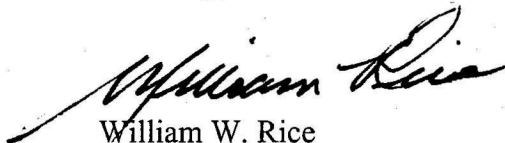
This letter serves to inform you that the U.S. Environmental Protection Agency (EPA) has made an affirmative determination of acceptability for the receipt of off-site waste at the Metro Waste Authority (Metro Waste), Mitchellville, Iowa, Iowa Department of Natural Resources (IDNR) Permit No. 77 – SDP – 01 – 72P MLF. Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an initial assessment of Metro Waste, and finds the facility acceptable for the receipt of off-site waste. Such off-site wastes are defined as those wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). On September 22, 1993, EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility.

EPA corresponded with the IDNR and local authorities to determine Metro Waste's compliance with Resources Conservation and Recovery Act (RCRA) and other applicable environmental standards. The results of the correspondence indicate that Metro Waste is currently in compliance with RCRA and other applicable environmental standards. Therefore, effective upon receipt of this letter, Metro Waste is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop,

the Agency reserves the right to revisit this decision. By issuing this notice, EPA is in no way authorizing Metro Waste to undertake any waste management practice at this facility for which Metro Waste has not been previously authorized by EPA, IDNR, or local authorities.

If you have any questions concerning this matter, please contact Deborah Finger, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,

A handwritten signature in black ink, appearing to read "William W. Rice", written in a cursive style.

William W. Rice
Acting Regional Administrator

cc: Bill Gross, IDNR